



RECORDATION NO. 21825 A FILED

OCT 27 '06

4-21 PM

SURFACE TRANSPORTATION BOARD

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October 26, 2006  
VIA UPS NEXT DAY AIR

Mr. Vernon A. Williams  
Secretary  
Office of the Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423



Dear Mr. Williams:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are one executed original and two photostatic copies of the Termination of Lease, dated as of October 26, 2006 (the "Termination") by JAIX Leasing Company ("JAIX"), as lessor, which Termination is a secondary document as defined in the Surface Transportation Board's Rules for the Recordation of Documents. The enclosed Termination relates to (i) that certain Memorandum of Lease Agreement dated as of November 16, 1995 between Johnstown America Industries, Inc. ("JAII") and Cargill, Incorporated ("Cargill"), which was duly filed and recorded with the Surface Transportation Board on November 29, 1995 under Recordation Number 19729, (ii) that certain Assignment and Assumption Agreement dated as of December 21, 1995, between JAII and JAIX, which was duly filed and recorded with the Surface Transportation Board on December 27, 1995 under Recordation Number 19729-A, (iii) that certain Memorandum of Lease Agreement dated as of November 1, 1997 between JAIX and Cargill, which was duly filed and recorded with the Surface Transportation Board on October 28, 1997 under Recordation Number 20957, and (iv) that certain Memorandum of Lease Agreement dated as of November 1, 1998 between JAIX and Cargill, which was duly filed and recorded with the Surface Transportation Board on December 3, 1998 under Recordation Number 21825.

The name and address of the party to the enclosed Termination of Lease is:

Lessor: JAIX Leasing Company  
Two North Riverside Plaza  
Suite 1250  
Chicago, IL 60606

A description of the railroad equipment covered by the enclosed document is all of the equipment described in the above-described Memoranda of Lease Agreement and includes, among others, the twelve (12) railcars identified on Exhibit A to the Termination.

Also enclosed is a check in the amount of \$34.00 payable to the order of the Surface Transportation Board covering the required recordation fee.



Mr. Vernon A. Williams  
October 26, 2006  
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Kindly return two stamped photostatic copies of the Termination of Lease and the stamped photostatic copy of this letter to David Singer at DLA Piper US LLP, 203 North LaSalle Street, Suite 1900, Chicago, Illinois 60601.

Following is a short summary of the enclosed document:

Secondary Document to be Recorded

Termination of Lease, dated as of October 26, 2006, by JAIX Leasing Company, as lessor.

Documents to Which the Secondary Document Relates

Memorandum of Lease Agreement dated as of November 16, 1995 between Johnstown America Industries, Inc. and Cargill, Incorporated, which was previously filed with the Surface Transportation Board on November 29, 1995 and assigned Recordation Number 19729.

Assignment and Assumption Agreement dated as of December 21, 1995, between Johnstown America Industries, Inc. and JAIX Leasing Company, which was previously filed with the Surface Transportation Board on December 27, 1995 and assigned Recordation Number 19729-A.

Memorandum of Lease Agreement dated as of November 1, 1997, between JAIX Leasing Company and Cargill, Incorporated, which was previously filed with the Surface Transportation Board on October 28, 1997 and assigned Recordation Number 20957.

Memorandum of Lease Agreement dated as of November 1, 1998, between JAIX Leasing Company and Cargill, Incorporated, which was previously filed with the Surface Transportation Board on December 3, 1998 and assigned Recordation Number 21825.

Very truly yours,

DLA Piper US LLP

A handwritten signature in black ink, appearing to read 'David E. Singer'.

David E. Singer

Enclosures

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## TERMINATION OF LEASE

SURFACE TRANSPORTATION BOARD

JAIX Leasing Company (as successor to certain interests of Johnstown America Industries, Inc.), as lessor ("JAIX"), and Cargill, Incorporated, as lessee (the "Lessee"), previously entered into that certain Railroad Full Service Equipment Lease dated as of November 1, 1995 (the "Equipment Lease"), that certain Rider 1 thereto dated November 1, 1995 ("Rider 1"), that certain Rider 4 thereto dated November 1, 1997 ("Rider 4") and that certain Rider 5 thereto dated November 1, 1998 ("Rider 5"; Rider 1, Rider 4 and Rider 5 and the Equipment Lease as it relates to such Riders are collectively referred to as the "Lease"), with respect to the lease by the Lessee of certain 5400 c.f. Aluminum Grainporter™ railcars (the "Cars"), including among others the twelve (12) Cars identified on Exhibit A hereto.

A Memorandum of Lease Agreement dated as of November 16, 1995 between Johnstown America Industries, Inc. ("JAII") and Lessee, relating to the Equipment Lease and Rider 1, was duly filed and recorded with the Surface Transportation Board on November 29, 1995 under Recordation Number 19729.

An Assignment and Assumption Agreement dated as of December 21, 1995, between JAII and JAIX relating to the Equipment Lease and the railcars covered by Rider 1, was duly filed and recorded with the Surface Transportation Board on December 27, 1995 under Recordation Number 19729-A.

A Memorandum of Lease Agreement dated as of November 1, 1997 between JAIX and Lessee, relating to the Equipment Lease and Rider 4, was duly filed and recorded with the Surface Transportation Board on October 28, 1997 under Recordation Number 20957.

A Memorandum of Lease Agreement dated as of November 1, 1998 between JAIX and Lessee, relating to the Equipment Lease and Rider 5, was duly filed and recorded with the Surface Transportation Board on December 3, 1998 under Recordation Number 21825.

This Termination of Lease acknowledges for the public record that the Lease has terminated and that JAIX has no further interest in the Lease.

This Termination of Lease shall not impair or terminate any of the rights and obligations of the parties under the Lease that expressly survive its termination.

Dated this 26 day of October, 2006.

*I certify that I hold the title set forth below, that this instrument was signed on behalf of JAIX Leasing Company by authority of its Board of Directors and that I acknowledge that the execution of the foregoing instrument was the free act and deed of JAIX Leasing Company. I further declare under penalty of perjury that the foregoing is true and correct.*

JAIX LEASING COMPANY

By: Edward J. Whalen  
Name: Edward J. Whalen  
Title: Vice President

## EXHIBIT A

Twelve (12) 5400 c.f. Aluminum Grainporter™ railcars, marked as follows:

JAIX	95001
JAIX	95015
JAIX	95028
JAIX	95048
JAIX	95053
JAIX	95070
JAIX	95092
JAIX	96242
JAIX	96245
JAIX	96246
JAIX	96248
JAIX	96249